



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

**Portland Public Schools –
Portland High School
Cumberland County
Portland, Maine
A-238-71-H-N/A**

**Departmental
Findings of Fact and Order
Air Emission License
After-the-Fact**

After review of the air emissions license renewal application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., §344 and §590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

1. The Air Emission License for Portland Public Schools – Portland High School (Portland High) expired on June 4, 2007. Portland High has applied to renew their expired license permitting the operation of emission sources associated with their public educational facility.
2. The equipment addressed in this license is located at 284 Cumberland Avenue, Portland, Me.
3. Portland High has requested an amendment to their license in order to remove the existing 1.01 MMBtu/hr water heater, and replace it with a .8 MMBtu/hr water heater. The new water heater is considered insignificant because of its heat input rate of less than 1.0 MMBtu/hr.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

| <u>Equipment</u> | <u>Maximum Capacity (MMBtu/hr)</u> | <u>Maximum Firing Rate (gal/hr)</u> | <u>Fuel Type, % sulfur</u> | <u>Stack #</u> |
|-------------------------|---|--|-----------------------------------|-----------------------|
| Boiler #1 | 10.6 | 75.6 | #2 fuel oil, 0.5% S | 1 |
| Boiler #2 | 10.6 | 75.6 | #2 fuel oil, 0.5% S | 1 |

AUGUSTA

17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
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312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
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C. Application Classification

The previous air emission license for Portland High expired on June 4, 2007. A complete application was not submitted on time, therefore Portland High is considered to be an existing source applying for an after-the-fact renewal. The Department has determined the facility is a minor source and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (last amended December 24, 2005).

The modification of a minor source is considered a major modification based on whether or not expected emission increases exceed the “Significant Emission Levels” as defined in the Department’s regulations. The emission increases are determined by subtracting the current licensed emissions preceding the modification from the maximum future licensed allowed emissions, as follows:

| <u>Pollutant</u> | <u>Current License (TPY)</u> | <u>Future License (TPY)</u> | <u>Net Change (TPY)</u> | <u>Sig. Level</u> |
|------------------|----------------------------------|---------------------------------|-----------------------------|-------------------|
| PM | 1.70 | 1.70 | 0 | 100 |
| PM ₁₀ | 1.70 | 1.70 | 0 | 100 |
| SO ₂ | 5.00 | 7.05 | 2.05 | 100 |
| NO _x | 7.00 | 2.00 | -5.0 | 100 |
| CO | 0.50 | 0.50 | 0 | 100 |
| VOC | 0.20 | 0.20 | 0 | 50 |

This modification is determined to be a minor modification and has been processed as such.

II. BEST PRACTICAL TREATMENT (BPT)

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for an after-the-fact renewal requires an analysis similar to a Best Available Control Technology analysis per 06-096 CMR 115.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers #1 and #2

Boilers #1 and #2 are Superior Bent Tube Boilers, Model 250W, with Webster Cyclonetic Burners, employing an “AutoFlame” Combustion Management System. Each boiler has a heat input capacity of 10.6 MMBtu/hr and both boilers were installed in 1988. Therefore these two boilers are not subject to the New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

A summary of BACT for Boiler #1 and Boiler #2 is the following:

1. The total fuel use for the facility shall not exceed 200,000 gallons per year of ASTM D396 compliant #2 fuel oil, based on a 12 month rolling total, with a maximum sulfur content not to exceed 0.5% by weight.
2. The SO₂ emission limits are based on the firing of fuel which meets the criteria in ASTM D396 for #2 fuel oil.
3. *Fuel Burning Equipment Particulate Emission Standard*, 06-096 CMR 103 (last amended November 3, 1990) regulates PM emission limits. The PM₁₀ limits are derived from the PM limits.
4. NO_x emission limits are based on AP-42 data dated 9/98.
5. CO and VOC emission limits are based upon AP-42 data dated 9/98.
6. Visible emissions from the common stack serving Boilers #1 and #2 shall not exceed 20% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block average in a continuous 3-hour period.

C. Annual Emissions

Portland High shall be restricted to the following annual emissions, based on a 12 month rolling total:

Total Licensed Annual Emissions for the Facility

Tons/year

(Used to calculate the annual license fee)

| | PM | PM₁₀ | SO₂ | NO_x | CO | VOC |
|-----------------|-------------|------------------------|-----------------------|-----------------------|-------------|-------------|
| Boilers #1 & #2 | 1.68 | 1.68 | 5.33 | 2.00 | 0.50 | 0.02 |
| TPY | 1.68 | 1.68 | 5.33 | 2.00 | 0.50 | 0.02 |

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Modeling and monitoring are not required for a renewal if the total emissions of any pollutant released do not exceed the following:

| <u>Pollutant</u> | <u>Tons/Year</u> |
|-------------------------|-------------------------|
| PM | 25 |
| PM ₁₀ | 25 |
| SO ₂ | 50 |
| NO _x | 100 |
| CO | 250 |

Based on the total facility licensed emissions, Portland High is below the emissions level required for modeling and monitoring.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-238-71-H-N/A subject the following conditions:

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]

- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
 - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 - 2. pursuant to any other requirement of this license to perform stack testing.
 - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. submit a written report to the Department within thirty (30) days from date of test completion.[06-096 CMR 115]

- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]

- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) **Boilers #1 and #2**

- A. Total fuel use for Boilers #1 and #2 shall not exceed 200,000 gal/yr of ASTM D396 compliant #2 fuel oil. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [06-096 CMR 115, BPT]

- B. Emissions shall not exceed the following:

| Emission Unit | Pollutant | lb/MMBtu | Origin and Authority |
|---------------|-----------|----------|----------------------------|
| Boiler #1 | PM | 0.12 | 06-096 CMR 103(2)(B)(1)(a) |
| Boiler #2 | PM | 0.12 | 06-096 CMR 103(2)(B)(1)(a) |

- C. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

| Emission Unit | PM (lb/hr) | PM ₁₀ (lb/hr) | SO ₂ (lb/hr) | NO _x (lb/hr) | CO (lb/hr) | VOC (lb/hr) |
|---------------|------------|--------------------------|-------------------------|-------------------------|------------|-------------|
| Boiler #1 | 1.27 | 1.27 | 5.33 | 1.51 | 0.38 | 0.02 |
| Boiler #2 | 1.27 | 1.27 | 5.33 | 1.51 | 0.38 | 0.02 |

- D. Visible emissions from the common stack serving Boilers #1 and #2 shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

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- (17) Portland High shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S.A. §605).

DONE AND DATED IN AUGUSTA, MAINE THIS 20th DAY OF August, 2009.
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brooks Jr.
DAVID P. LITTLE, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: March 10, 2009

Date of application acceptance: March 31, 2009

Date filed with the Board of Environmental Protection: _____

This Order prepared by N. Lynn Cornfield, Bureau of Air Quality.

